IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

CHEETAH OMNI, LLC	§	
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
VERIZON SERVICES CORP., et al.	§	
	§	CASE NO. 6:09 CV 260
Defendant.	§	PATENT CASE
	§	
	§	

ORDER ADOPTING REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Order of the Magistrate Judge ("Order"), which contains his rulings allowing Verizon to pursue defenses under 35 U.S.C. § 102(g), has been presented for consideration (Doc. No. 405). Cheetah Omni, LLC has filed objections and a motion for reconsideration in response to the Order. (Doc. No. 417).

The Court heard further argument regarding Cheetah's motion on the second day of trial and **GRANTED** the motion from the bench overruling the Magistrate Judge's findings in the Order. *See* Day 2, Morning Trial Tr. at 3:7 - 9:19.

So ORDERED and SIGNED this 23rd day of March, 2011.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE